

and complaint to be served upon a person not a party to the action who is or may be liable to the third party plaintiff for all or part of the plaintiff's claim against the third party plaintiff."

6. In the present case, the proposed claim is meritorious and advanced in good faith.

7. The defendant, Six Flags, Inc. has brought the present motion in a timely fashion.

WHEREFORE, the defendant, Six Flags, Inc., respectfully request that this Honorable Court allow the present motion for leave to file the attached Third-Party Complaint and deem the Third-Party Complaint filed as of the date of the allowance of this motion.

Respectfully submitted,
SANDRA YOUNG, and ERIC K. SOUZA,
P.P.A., By His Mother and Next Best Friend,
By their attorneys,

/s/ Russel N. McCarthy

Russell N. McCarthy, BBO #
150 N. Main Street
Fall River, MA 02720

Respectfully submitted,
SIX FLAGS, INC.,
By its attorneys,

MORRISON MAHONEY LLP

/s/ Allain P. Collins

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CERTIFICATE OF SERVICE

I, Allain P. Collins, hereby certify that a true and accurate copy of the foregoing document was served via first class mail, postage prepaid, upon the attorney of record for each party on October _20, 2004.

/s/ Allain P. Collins

Allain P. Collins